REMARKS

This amendment responds to the Office Action dated May 12, 2009, in which the

Examiner objected to claim 11, rejected claims 8 and 11-13 under 35 U.S.C. § 112, first

paragraph, and rejected claims 8-13 under 35 U.S.C. § 103.

As indicated above, a minor informality in claim 11 has been corrected. Therefore,

Applicants respectfully request the Examiner withdraws the objection to claim 11.

As indicated above, a typographical error has been corrected in claim 12. Applicants

respectfully request the Examiner approves the correction.

Claims 8 and 11-13 were rejected under 35 U.S.C. § 112, first paragraph. Applicants

respectfully traverse. Applicants respectfully bring the Examiner's attention to FIG. 1, reference

numeral 17, as well as to the description found in the published application at paragraphs 40, 42,

43, 48, 52, 60, 83 and 228. The paragraphs all describe the record medium as a disc. Therefore,

Applicants respectfully request the Examiner withdraws the rejection to claims 8 and 11-13

under 35 U.S.C. § 112, first paragraph.

Claim 8 claims an information processing apparatus, claim 11 claims an information

process method, claim 12 claims a program record medium on which a program is recorded and

causes a computer to perform an information process, and claim 13 claims a program causing a

computer to perform an information process. The apparatus, method, medium and program

obtain reproduction information necessary to reproduce data when the data is recorded. The data

is low resolution data and video and audio data. A clip management file is generated describing

(1) the reproduction information and (2) a unique identifier that composes each clip. An index

management file is updated in which management information of all clips and edit lists recorded

in the record disc medium are totally managed. The index management file is composed of the

reproduction information, the unique identifier and information representing the recorded

position of the data that compose each clip. Reproduction data that compose all the clips are

successively reproduced in an order of recordation according to the index or clip management

files. When a record disc medium is loaded, the index management file is read from the

recording medium and stored to a memory. When the clip is to be reproduced, the clip

management file is read from the record disc medium and stored to the memory.

By (a) having a clip management file which manages each clip and an index management

file which manages all clips and edit lists, (b) reading and storing the index management file

when a record disc medium is loaded, (c) reading and storing the clip management file when a

clip is to be reproduced, and (d) successively reproducing all clips on the disc in order of

recordation as claimed in claims 8 and 11-13, the claimed invention provides an apparatus,

method, medium, and program in which information necessary for reproducing data from a disc

can be obtained quickly and without a time lag as though reproducing data from tape. The prior

art does not show, teach or suggest the invention as claimed in claims 8 and 11-13.

Claims 8-13 were rejected under 35 U.S.C. § 103 as being unpatentable over *David, et al.*

(U.S. Publication No. 2002/0131764) in view of *Takagi, et al.* (U.S. Publication No.

2003/0085997) and *Um, et al.* (U.S. Publication No. 2003/0138236).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. §

103. The claims have been reviewed in light of the Office Action, and for reasons which will be

set forth below, Applicants respectfully request the Examiner withdraws the rejection to the

claims and allows the claims to issue.

David, et al. appears to disclose a control processor which changes header information

between successive packets recorded repeatedly onto a linear recording medium (tape) [0057].

Changing header information between successive packs is a convenient way to recognize where

metadata packets change from one group to another. By detecting the change in the header

information, a reproducing apparatus may determine whether the recovered packet contains more

than one metadata packet which is the same [0058].

Thus, *David, et al.* merely discloses during recording, changing header information in

order to recognize a change from one group to another when recorded on a linear (tape)

recording medium. Nothing in *David, et al.* shows, teaches, or suggests successively

reproducing data that compose all clips recorded on a disc in an order of recordation according to

a clip management file or an index management file as claimed in claims 8 and 11-13.

Applicants respectfully point out that a linear recording medium, such as a tape, successively

records information on the tape. However, a disc medium can record information thereon in a

non-linear fashion. Nowhere in *David, et al.* is it shown, taught or suggested to successively

reproduce clips from a disc in an order of recordation as claimed in claims 8 and 11-13. *David,*

et al. only discloses in paragraphs 57 and 58, (a) a linear recording medium/tape medium and (b)

changing header information when recording successive packets.

Additionally, since paragraphs 57 and 58 of *David, et al.* only disclose successive

recording on a tape media, nothing in *David, et al.* shows, teaches or suggests (a) when a disc

media is loaded, an index management file is read therefrom and stored into a memory and (b)

when a clip to be reproduced is designated, a clip management file is read from the disc media

and stored to a memory as claimed in claims 8 and 11-13. Rather, *David, et al.* only discloses

successively recording packets [0057] and during reproduction discarding redundant packets

[0058].

Furthermore, *David, et al.* appears to disclose an editing terminal 184 arranged to access a metadata database 176 via a low bandwidth communication channel 182'. The editing terminal 184 is therefore provided with access to the metadata 210 describing the content of the audio/video material recorded onto the tape 216 [0236].

Thus, *David, et al.* merely discloses having an editing terminal have access to the metadata database describing material recorded onto a tape. Nothing in *David, et al.* shows, teaches or suggests successively reproducing all clips recorded on a disc media in the order of recordation as claimed in claims 8 and 11-13. Rather, *David, et al.* only discloses accessing a metadata database 176 which describes the content of material recorded onto a tape 216.

Additionally, *David, et al.* only discloses accessing the metadata database 176 and not the material recorded onto the tape 216. Therefore, nothing in *David, et al.* shows, teaches or suggests (a) when a disc media is loaded, index management file is read from the disc media and stored to the memory, and (b) when a clip to be reproduced is designated, a clip management file is read from the disc media and stored to the memory as claimed in claims 8 and 11-13. Rather, *David, et al.* only discloses accessing a metadata database 176 describing the contents of material recorded onto a tape 216.

Finally, as the Examiner noted, *David, et al.* does not show, teach or suggest (a) updating management information to an index management file where the management information includes (i) reproduction information of data that compose each chip, (ii) a unique identifier, and (iii) a recorded position of each clip. Also, the Examiner acknowledges that *David, et al.* does not show, teach or suggest a clip management file describing for each clip (a) the reproduction information of data that compose the clip and (b) an identifier that uniquely identifies the data.

Takagi, et al. appears to disclose a distributed program editing system 10 which registers metadata, input at a planning processing and at a casting processing, into a database managed in a concentrated fashion by an archival manager 40A of an archived system 40 (Abstract).

Thus, *Takagi, et al.* merely discloses registering metadata into an archive system. Nothing in *Takagi, et al.* shows, teaches or suggests management information composed of (a) reproduction information of data that compose each chip, (b) a unique identifier of data that compose each chip, and (c) information that represents a recorded position of data that compose each chip as claimed in claims 8 and 11-13. Rather, *Takagi, et al.* only discloses registering metadata into an archive system.

Additionally, *Takagi, et al.* does not show, teach or suggest (a) successively reproducing all chips recorded on a disc media in an order of recordation, (b) when the disc media is loaded, reading the index management file from the disc, and (c) when a clip is to be reproduced, a clip management file is read from the disc media as claimed in claims 8 and 11-13. Furthermore, nothing in *Takagi, et al.* shows, teaches or suggests a clip management file describing for each clip (1) the reproduction information of the clip and (2) a unique identifier.

Um, et al. appears to disclose a digital video recorder (DVR) directory containing directories "PLAYLIST", "CLIPINF", "STREAM", and "STILLINF" [0010].

Thus, *Um, et al.* only discloses a directory and the sub-directories therein. Nothing in *Um, et al.* shows, teaches or suggests (a) an index management file which totally manages all clips and all edit lists and (b) the index management file composed of management information including (i) reproduction information of data composing that compose each chip, (ii) a unique identifier, and (iii) a recorded position as claimed in claims 8 and 11-13. Rather, *Um, et al.* only discloses a directory containing sub-directories.

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Furthermore, *Um, et al.* merely discloses a management file including all created thumbnails and an index file having location information of individual thumbnails [0035].

Thus, *Um, et al.* merely discloses a thumbnail management file and a location information file for the thumbnails. Nothing in *Um, et al.* shows, teaches or suggests (a) an index management file which totally manages all clips and edit lists on a disc, and (b) the management information in the index management file including (i) reproduction information, (ii) a unique identifier and (iii) a recorded position as claimed in claims 8 and 11-13. Rather, *Um, et al.* only discloses a management file including all thumbnail and an index file having location information of the individual thumbnails.

Furthermore, nothing in *Um, et al.* shows, teaches or suggests (1) a clip management file describing for each clip the reproduction information and a unique identifier, (2) successively reproducing all clips recorded on the disc medium in the order of recordation, (3) when the disc is loaded, reading the index management file, and (4) when a clip is to be reproduced, reading the clip management file as claimed in claims 8 and 11-13.

Applicants respectfully point out that, "It is impermissible within the framework of §103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of the other parts necessary to the full appreciation of what such reference suggests to one of ordinary skill in the art" as stated by the court in *In Re Wesslau* and quoted in *In Re Hedger* 228 USPQ 658, 687 (CAFC, February 1986). Applicants respectfully submit that the references taken singularly or in combination do not show, teach or suggest the invention as claimed in claims 8 and 11-13. The combination of *David, et al.*, *Takagi, et al.* and *Um, et al.* would merely suggest that when reproducing metadata packets, determining if more than one metadata packet is this same [0058] as taught by *David, et al.*, to register metadata into an

archival system as taught by *Takagi, et al.* (Abstract), to have a DVR directory with sub-directories as taught by *Um, et al.* [0100], and to manage thumbnails with a management file and an index file as taught by *Um, et al.* [0035]. Thus, nothing in the combination of the references shows, teaches or suggests (a) successively reproducing data that compose all chips recorded on a disc media in the order of recordation, (b) reading an index management file from a disc media when the disc media is loaded, (c) when a chip to be reproduced is designated, reading a chip management file from a disc media, (d) an index management file including management information composed of reproduction information, a unique identifier and recorded position, and (e) a clip management file describing for each clip the reproduction information and the unique identifier as claimed in claims 8, 11, 12 and 13. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 8 and 11-13 under 35 U.S.C. § 103.

Claims 9-10 depend from claim 8 and recite additional features. Applicants respectfully submit that claims 9-10 would not have been obvious over 35 U.S.C. § 103 over *David, et al.*, *Takagi, et al.*, and *Um, et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 9-10 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early data are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicants respectfully request the Examiner enters this amendment for purposes of appeal.

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CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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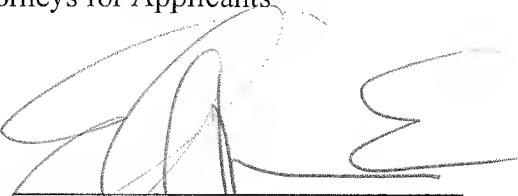
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